

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Levon Millow,

Petitioner,

v.

Case No. 1:20cv460

Warden, London Correctional
Institution,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on January 19, 2021 (Doc. 19).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 19) have been filed, and the time to do so has passed.

Accordingly, it is **ORDERED** that the R&R (Doc. 19) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Respondent’s Motion to Dismiss (Doc. 10) is **GRANTED** and the Petition (Doc. 1) is **DISMISSED WITH PREJUDICE** as time-barred. It is further **ORDERED** that Petitioner is denied a certificate of appealability as reasonable jurists would not disagree with the Court’s conclusion, and Petitioner shall not be granted leave to appeal to the Sixth Circuit *in forma pauperis* as the Court certifies that any appeal would be objectively

frivolous. Petitioner's habeas proceeding in **CLOSED** and **TERMINATED** from the active docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court